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Reply to Office Action of 23 November 2005

AMENDMENTS TO THE DRAWINGS

Six amended drawing sheets are filed herewith. Of these, sheet 5 has been revised to show an exploded view of the device, so that the removable nature of the mat from the bag is illustrated, as required by the Examiner's objection regarding claim 15.

The additional drawing sheet revisions are made to remove arrow heads from many of the lead lines, which is believed to be a correction of an informality, although one not raised by the Examiner.

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REMARKS

Claims 1-17 were pending at the time of the Office Action. Of these, claims 1-9 and 12-17 are rejected. Claims 10 and 11 are objected to.

In the amendments made above, claims 3, 7, 13, 14 and 17 are cancelled. New claims 18-21 are presented, resulting in a net reduction in the number of claims.

Information Disclosure Statement

The Examiner's review of the electronic Information Disclosure Statement filed 14 June 2004 is graciously acknowledged.

Amendments to the Specification

The Applicant has provided several amendments to the specification, primarily to correct informalities in the specification as filed. These amendments are made to [0002], [0003], [0006], [0008], [0013], [0014], [0015], [0017], [0019], and [0021]. None of these corrections add new matter to the disclosure.

Amendments to paragraph [0016] and [0024] are made to describe the removable attachment of the mat to the bag as shown in amended Figure 5. No new matter is introduced, as the prior content of paragraph [0024] and claim 15 would put one of ordinary skill in possession of what is not expressly shown in Fig. 5.

Drawing objections

The Examiner has objected to the drawings as not showing the removable nature of the mat from the bag, as claimed in claim 15. As stated above, the revision to claim 15 is supported by the claim as originally filed and the original content of paragraphs [0016] and [0024] so that no new matter is introduced in the figure.

Section 112, second paragraph rejections

The Examiner has objected to claims 4 and 13-17 as indefinite because of a perceived double inclusion of the "retainers." Applicant respectfully submits that the amendments to claims 1 and 4, the cancellation of claims 13 and 14 and the introduction of new claims 18 and 19 have resolved this issue.

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Section 102, 102/103 rejections

Claim 5 is rejected under 35 U.S.C. 102(b) as being clearly anticipated by US Patent 4,466,517 to Spiegelman ("Spiegelman '517"). Rather than address the Examiner's rejection, applicant respectfully notes that claim 5 is amended above in a manner to overcome this rejection.

Particularly, claim 5 requires a sanitary mat for placement on a floor by a user, in combination with a bag having a bottom portion. The sanitary mat comprises a plurality of panels of an at least semi-rigid nature, the panels adapted to provide an unfolded configuration having an upper surface adjacent the bag for the user to stand on or to place articles upon and an opposing lower surface to contact the floor. Spiegelman '517 does not describe or show a plurality of panels. The portion of Spiegelman '517 that could be construed as a single panel is described as being of "flexible fabric", so it is not of "an at least semi-rigid nature."

For at least this reason, claim 5 is allowable over Spiegelman '517 and dependent claims 6-12 are also allowable.

Claims 1-3 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over US Patent 2,540,165 to Fiel ("Fiel '165") taken alone or further in view of Spiegelman '517. Rather than address the Examiner's rejection, applicant respectfully notes that independent claim 1 is amended above in a manner to overcome this rejection. The rejection of claim 3 is mooted by its cancellation.

Particularly, claim 1 as amended requires attachment of the mat to the bottom external surface of the bag with which it is used. Fiel '165 clearly shows its mat attached to a bottom internal surface, the mat being stowable inside the bag. Further, the lining of the drawings indicates the mat to be a fabric material, which is not "of an at least semi-rigid nature." Spiegelman '517, as described above, does nothing to assist Fiel '165 on providing the missing panel rigidity.

For at least this reason, claims 1 and 2 are allowable over either Fiel '165 alone or Fiel '165 in combination with Spiegelman '517. As independent claim 1 is allowable, dependent claims 2, 4, 15, 16, and 18-21 are also allowable.

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Claim 5 is rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Fiel '165 taken alone or further in view of Spiegelman. Rather than address the Examiner's rejection, applicant respectfully notes that claim 5 is amended above in a manner to overcome this rejection.

Particularly, claim 5 requires a sanitary mat for placement on a floor by a user, in combination with a bag having a bottom portion. The sanitary mat comprises a plurality of panels of an at least semi-rigid nature, the panels adapted to provide an unfolded configuration having an upper surface adjacent the bag for the user to stand on or to place articles upon and an opposing lower surface to contact the floor. Neither Fiel '165 nor Spiegelman '517 describes or shows a plurality of panels. The portion of either that could be construed as a single panel is shown as being manufactured of fabric, so it is not of "an at least semi-rigid nature."

For at least this reason, claim 5 is allowable over Fiel '165 alone or in combination with Spiegelman '517 and dependent claims 6-12 are also allowable.

Claim 12 is rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Fiel '165 taken alone or further in view of Spiegelman '517. First, the applicant asserts that claim 12 is allowable over this exact rejection as made against claim 5 immediately above, on the basis that claim 12 is a proper dependent claim of claim 5.

However, and particularly as amended, claim 12 is also distinguished from either Fiel '165 or Spiegelman '517 acting alone or in combination because neither teaches a mat where the lower surface does not cross-contaminate the upper surface in either the folded or unfolded configuration, as now required by claim 12. Note that both Fiel '165 and Spiegelman '571 show a rolled storage configuration of the mat in which cross-contamination would be inevitable.

For these reasons, claim 12 is allowable over Fiel '165 alone or in combination with Spiegelman '517.

Section 103 rejections

Claims 6, 7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over the references as applied to claim 5 above, and further in view of US Patent 5,649,658 to

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Hoffman ("Hoffman '658"). The applicant respectfully notes first that claims 6 and 9 are allowable as proper dependent claims of claim 5, as argued above. The rejection of claim 7 is mooted by cancellation.

More particularly, Hoffman '658 shows four panels, rather than three, and these panels are neither "at least semi-rigid" nor are they arranged so that the upper surfaces of the panel would be in inwardly facing relationship when in the folded configuration.

For these reasons, claims 6 and 9 are allowable over Fiel '165, Spiegelman '517 and Hoffman '658 in combination.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over the references as applied to claim 6 above, and further in view of French published application 2,666,493 ("Porron '493"). The Examiner is again reminded that claim 8 is a proper dependent claim of claim 6, which is in turn a proper dependent claim of claim 5, both of which have been argued as allowable over other prior art citations above.

Claim objections

The Examiner has objected to claims 10 and 11 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant respectfully submits that these claims are now dependent from an allowable base claim (claim 6).

The Examiner has indicated that claims 13-17 would be allowed if rewritten or amended to overcome the rejection(s) under 35 U.S.C 112, second paragraph, set forth in this Office Action. Applicant respectfully submits that these claims 13, 14 and 17 have been cancelled and claims 15 and 16 are now dependent from an allowable base claim (claim 1).

The Examiner has indicated that claim 4 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C 112, second paragraph, set forth in this Office Action and to include all of the limitations of the base claim and any intervening claims. Applicant respectfully submits that this claim is now dependent from an allowable base claim (claim 1).

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Conclusion

Applicant respectfully submits that the present application is now in condition for allowance and such action is earnestly requested.

Respectfully submitted,

Dated: 23 FEB 2006

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